

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|-------------------------------|---|-----------------------|
| MARNIE O'BRIEN | : | CIVIL ACTION |
| Plaintiff, | : | NO. 2:19-cv-06078-JMG |
| -vs- | : | |
| THE MIDDLE EAST FORUM, et al. | : | |
| Defendants. | : | |

MARNIE O'BRIEN'S OBJECTIONS TO DOCUMENTS REQUESTED

Marnie O'Brien hereby serves timely objections to the two (2) subpoenas sent to Ms. O'Brien through counsel by email. Of note, the two (2) subpoenas were not served upon Ms. O'Brien but only sent by email to Ms. O'Brien's counsel.

OBJECTIONS TO DOCUMENT REQUESTS

1. Marnie O'Brien objects to the subpoenas overly broad, unduly burdensome, not relevant to the above captioned matter, immaterial, not proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit.

2. Marnie O'Brien objects to the Documents Requests to the extent they seek information that is protected the attorney-client privilege, attorney-work product doctrine, common interest privilege, settlement privilege, or any other applicable privilege. Marnie O'Brien hereby asserts all such applicable privileges, protections, and immunities. Marnie O'Brien intends to preserve all such privileges to the fullest extent, and any disclosure of privileged information in response to these Requests shall be deemed inadvertent and shall not

waive those privileges, protections, or immunities as to that or any other information or document.

3. Marnie O'Brien objects to the Subpoenas to the extent they seek information subject to an obligation of confidentiality to a third party or that Marnie O'Brien believes is sensitive, proprietary, or otherwise confidential. Marnie O'Brien agrees to provide such information, subject to the other objections stated herein, only in accordance with terms of a confidentiality agreement.

4. Marnie O'Brien objects to the Subpoenas to the extent they purport to impose on Marnie O'Brien duties or responsibilities greater than those imposed by the Federal Rules of Civil Procedure, Local Rules, or any Order of this Court or any other court with jurisdiction over this matter or subpoena.

5. Marnie O'Brien objects to the Subpoenas to the extent that any Request is unreasonably cumulative, redundant, or duplicative of any other discovery request.

6. Marnie O'Brien objects to the Subpoenas to the extent they seek information that is already in the possession of the party making the request or that is equally available or readily ascertainable from some other source that is more convenient, less burdensome, or less expensive.

7. Marnie O'Brien objects to the Subpoenas to the extent that any Request purports to require Marnie O'Brien to provide information that does not exist or that is not in Marnie O'Brien's possession, custody, or control.

8. Marnie O'Brien objects to the Subpoenas to the extent they are vague, ambiguous, or otherwise use words and phrases that are not understandable or cannot be easily interpreted.

9. Marnie O'Brien objects to the Subpoenas to the extent any Request, whether standing alone or taken in conjunction with any other discovery request, is overbroad, seeks information that is not relevant to the claims or defenses of either party to this action or otherwise required to be disclosed under the Federal Rules of Civil Procedure, Local Rules, or any other Order of this Court, or is calculated to annoy, embarrass, oppress, unduly burden, or cause undue expense to Marnie O'Brien.

10. Marnie O'Brien objects to the subpoenas to the extent that any Request seeks information from a time period (including an unlimited time period) that is unduly burdensome or overbroad.

11. Marnie O'Brien objects to the Subpoenas as premature to the extent that any Request seeks discovery prior to the date such information is to be exchanged pursuant to the Federal Rules of Civil Procedure, Local Rules, or any Order of this Court.

POND LEHOCKY, LLP

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DATED: May 11, 2020

CERTIFICATE OF SERVICE

I hereby certify that on this date that I caused a true and correct copy of Marnie O'Brien's timely objections to the Subpoena to Produce Documents to be served via email to:

Clark Hill PLC
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Suite 2620
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mdibianca@clarkhill.com

POND LEHOCKY LLP

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DATED: May 12, 2020